

On May 1, 1940, the American Sundries Co., Inc., having admitted the allegations of the libel and having petitioned leave to relabel the device, a decree was entered ordering its release under bond conditioned that it be so relabeled.

**186. Misbranding of electric vaporizers. U. S. v. 22 Electric Vaporizers. Default decree of condemnation and destruction. (F. D. C. No. 1618. Sample No. 14301-E.)**

This product was a kettle-shaped electric vaporizing device. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On March 11, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 22 electric vaporizers at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about February 10, 1940, by the Practical Products Co. from New York, N. Y.; and charging that it was misbranded. The article was labeled in part: "The Prak-t-kal Electric Vaporizer."

The device was alleged to be misbranded in that the labeling bore representations that it was a practical road to health; that it was efficacious in the treatment of asthma, bronchitis, laryngitis, and whooping cough; that it would bring prompt relief for asthma and bronchitis; that it would generate healing, medicated vapors, and that these healing vapors would penetrate the throat and nasal passages and relieve congestion from head to chest, which representations were false and misleading since it was not efficacious for the purposes recommended.

On March 30, 1940, no claimant having appeared, judgment of condemnation was entered and the article was ordered destroyed.

**187. Misbranding of electric vaporizers. U. S. v. 17 Rogers Electric Vaporizers. Default decree of condemnation and destruction. (F. D. C. No. 1363. Sample No. 74442-D.)**

This product was an electric device for vaporizing water, the vapor passing over cotton which had been saturated with some medicinal agent. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On January 18, 1940, the United States attorney for the District of Minnesota filed a libel against 17 electric vaporizers at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about October 9, 1939, by the Rogers Electric Laboratories, Inc., from Cleveland, Ohio; and charging that it was misbranded.

The device was alleged to be misbranded in that the representations in the labeling that it was efficacious in the treatment of bronchitis, pneumonia, influenza, and asthma, were false and misleading since it was not efficacious for such purposes.

On March 19, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**188. Misbranding of vaporizers. U. S. v. 33 Sterno Vaporizers. Default decree of condemnation and destruction. (F. D. C. No. 1696. Sample Nos. 481-E, 483-E.)**

This product was a device designed to vaporize water and other liquids. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On March 26, 1940, the United States attorney for the Southern District of Florida filed a libel against 33 Sterno Vaporizers at Jacksonville, Fla., alleging the article had been shipped in interstate commerce on or about January 27, and March 1, 1940, by S. Sternau & Co., Inc., from New York, N. Y.; and charging that it was misbranded.

The device was alleged to be misbranded in that its labeling bore representations that it was efficacious for quick relief for coughs and sore throat, bronchitis, hay fever, whooping cough, catarrh, and asthma; that it was efficacious in the treatment of coughs, gripe, bronchitis, hay fever, sinus, influenza, coughs, sore throat, and related ills; that inhalation is the recognized modern method of scientifically combating inflammation and congestion of the respiratory organs; that the warm vapors would open up the membranes and tissues, permitting the antiseptic, healing ingredients to penetrate quickly and effectively to surfaces not otherwise reached, that such symptoms as coughing, throat irritations, chest congestion or increased body temperature should receive instant attention and that inattention to seemingly slight ills often results in serious future complications and that inhalation would in most cases prevent

further development, which representations were false and misleading since the device was not efficacious for the purposes for which it was so recommended.

On July 18, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**189. Misbranding of Vapo-Spa Vapor Bath. U. S. v. 20 Retail Packages of Vapo-Spa Vapor Bath. Consent decree of condemnation. Product released under bond to be relabeled. (F. D. C. No. 1786. Sample No. 1806-E.)**

The packages of this product each contained a rubberized cloth garment, a device for producing vapors, a bottle of Vapo-Spa Pine Needle Oil, and circulars. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.

On April 10, 1940, the United States attorney for the District of Columbia filed a libel against 20 retail packages of Vapo-Spa Vapor Bath at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about February 10 and March 4, 1940, by the Health-Glo Laboratories, Inc., from New York, N. Y.; and charging that it was misbranded.

Examination of the liquid showed that it consisted essentially of pine-needle oil.

The article was alleged to be misbranded in that its labeling bore representations that it was efficacious as a scientific aid to slenderizing, would stimulate and cleanse respiratory tracts when the vapor was inhaled, and would help to relieve grippe, would aid the vapor to remove bacteria-laden dust carrying millions of unseen micro-organisms picked up by the skin and body every day; that it was a scientific aid to good health, was a new health and beauty sensation which would help to guard the health and keep one physically fit, would reduce over-weight, take inches off the waist, and purify the blood; that the respiratory tracts were reached by the beneficial vapor, and that it would help to relieve insomnia, arthritis, lumbago, and many other ailments, would loosen phlegm, and help break up local congestion in the air passages, and would materially help drive cold germs from the system, congestion from the throat and lungs, and stiffness and soreness from the entire body, were false and misleading since the article would not be efficacious for the purposes recommended.

On May 8, 1940, the Health-Glo Laboratories, Inc., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

**THERAPEUTIC LAMPS AND HEAT PACKS**

**190. Misbranding of therapeutic lamps. U. S. v. 12 Therapeutic Lamps with Bulb. Default decree of condemnation and destruction. (F. D. C. No. 1746. Sample No. 437-E.)**

This device consisted of an incandescent bulb fitted into a reflector attached to a wooden handle. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On April 3, 1940, the United States attorney for the Northern District of Georgia filed a libel against 12 therapeutic lamps at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about January 19 and February 7, 1940, by the Rodale Manufacturing Co. from Emaus, Pa.; and charging that it was misbranded.

It was alleged to be misbranded in that its labeling bore representations that it was efficacious in the treatment of colds, headaches, backaches, chest inflammation, rheumatism, lumbago, neuralgia; that its regular application for a few minutes a day would do wonders for the health; that it would invigorate tissue and that once the tissue is exposed to the rays nature itself promotes healing and cures by increased circulation, which representations were false and misleading since it was not efficacious for such purposes.

On April 20, 1940, no claimant having appeared, judgment of condemnation was entered and the article was ordered destroyed.

**191. Misbranding of infra-red therapeutic lamps. U. S. v. 19 Mastercraft Infra-Red Therapeutic Lamps Type No. 62. Default decree of condemnation and destruction. (F. D. C. No. 1349. Sample Nos. 84842-D, 84843-D.)**

This device consisted of a table model reflector lamp fitted with an incandescent bulb. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On or about January 15, 1940, the United States attorney for the Eastern District of Missouri filed a libel against 19 of the above-named devices at St.